

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Improving Public Safety	)	WT Docket 02-55
Communications in the 800 MHz Band	)	(FCC 04-253)

**COMMENTS OF THE OFFICE OF THE CHIEF TECHNOLOGY OFFICER  
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**Introduction**

The Government of the District of Columbia (GDC), Office of the Chief Technology Officer (OCTO) applauds the efforts of the Federal Communications Commission (FCC) and private radio and public safety stakeholders in developing the final Report and Order (Order) for Improving Public Safety Communications in the 800 MHz Band. We believe the Order generally represents a fair and balanced proposal for better managing and minimizing harmful radio interference in the 800 MHz spectral bands. The transition plan will produce more reliable communications for Public Safety first responders and all users of the impacted radio spectrum. As a significant operator of 800 MHz Public Safety radio communication facilities, the GDC is eager to initiate the transition process. We believe, however, that the Order should be expanded in some respects, as described below.

**Administrative Support Services Program Funding**

While the Order is comprehensive in both technical and administrative features, it lacks sufficient detail regarding the types and extent of administrative and technical support services required to successfully complete radio and base station retuning and upgrades reimbursed through the Nextel payment program. Local governments, working with their regional counterparts to maintain interoperability will expend considerable time and effort to achieve the

required equipment retunes, some of which will have to be conducted multiple times to reach the final frequency realignment objectives. Much of this effort will be focused on program planning, preparation, database reconciliation and management and overall program management, as well as executive management, contracts negotiation, procurement, and program execution. This effort will be even more intricate in large and multi-jurisdictional metropolitan regions that have, and continue to, expend considerable time, effort and resources to maintain critical radio interoperability within the region.

The Order clearly states that the “hard costs” to replace radio equipment that cannot be retuned or reprogrammed, such as older generation radios and base station components, or equipment that is incompatible with the frequency realignment, including frequency combining, transmission equipment and others, are funded by the program, as is the direct physical labor to upgrade these components. The indirect and extensive labor and program administrative services to execute this program are not sufficiently detailed, or are left to the judgment of the Transition Administrator (TA), Nextel negotiations or are capped based on the degree of hard costs associated with the program.

Within the District of Columbia, and within the Nation Capital Region (NCR), in which maintaining radio interoperability in the 800 MHz band is paramount, replacing equipment will be the exception and not the norm, but the cost of executing the program will be extensive and will touch numerous affected agency direct and contract staff. This burden cannot be borne by the affected Public Safety operators. In radio systems that require a greater degree of equipment replacement to achieve rebanding, and hence have larger “hard costs” associated with the retune, program administrative costs will also be substantial. These costs should not be capped in either situation, but should be fairly projected and reported by affected agencies and covered through program funding. Neglecting or capping these program administrative, management and

execution costs will unduly burden local radio operational budgets and tax payer contributions and will impact the success and timeliness of the program. A fair and equitable repayment method, and in most situations, an “advance payment” system<sup>1</sup>, should be devised to properly support and fairly compensate affected operators for costs of implementing the program.

OCTO requests clarification on the specific types of rebanding support services, both delivered internally by the affected jurisdictions and procured externally, required to facilitate the rebanding program. Additionally, we recommend that realistic funding be provided to support the administrative functions of the rebanding effort. The District is currently implementing a regular “fleetmap” reprogramming of Public Safety radios to upgrade and enhance radio communication. All District portable and mobile radios must be reprogrammed, and all radios in the NCR must be upgraded, to maintain interoperability. Planning, preparation and program management for this effort, along with organization and coordination with affected police, fire and emergency medical services (EMS) radio users and their vehicles are extensive. Thousands of radios must be located and classified by user need and radio type, and reprogrammed based on each radio’s code plug and fleetmap template requirements. Police, fire and EMS personnel must be available, with their radios, sometimes at an overtime premium to the District, to have their equipment reprogrammed.

The coordination and management of the effort far exceeds the time needed to physically reprogram the radios. When the time and effort to prepare the rebanding plan, present it to the TA, negotiate with Nextel, procure third-party contract support, properly account for and make payment for all services, and manage and document the changes resulting from the program are

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<sup>1</sup> As detailed herein, advance rebanding program payments to affected government entities may be essential, since funding must be properly appropriated before new services, and/or products can be secured. Funds have not been appropriated for this rebanding program in the District of Columbia and, we suspect, elsewhere.

considered, rebanding administration will be extremely costly. These costs cannot be underestimated, uncompensated, or unreasonably capped.

### **Method for Advance Program Funding**

OCTO urges that the Order provide for, or at a minimum, the TA be given authorized for, “advance payments” to affected governmental entities to support the numerous activities associated with planning and preparation for the 800 MHz transition. Within the government sector, procurement and budget rules provide that no services or products can be purchased unless funding has been appropriated. Budgets are developed a year in advance of the actual operating cycle, and funds for rebanding have not necessarily been included in the budgets for Public Safety radio operations. Therefore, the GDC and most other governments lack funding necessary to begin preparation for the 800 MHz rebanding program.

Advance payment for collecting information on affected assets, planning the program, coordinating with regional counterparts, preparing documentation to present to the TA and to Nextel, and other planning and preparation work is essential. Advance funding will expedite the overall program, better manage overall program costs, and support the FCC’s rebanding schedule and objectives. The absence of advance funding will prevent, or at best, significantly delay governments from initiating the program, and thus likely increase the overall rebanding program budget. The TA should be authorized to make funding available for documented get-started costs of affected governments.

### **Funding for Regional Planning Committees**

OCTO also encourages the FCC to extend program funding to the Regional Planning Committees (RPC) to cover the work they undertake in planning, coordinating and executing the relocation of the NPSPAC channels in their affected regions. This effort is essential to the success of the program, and the governments that pay the salaries of their RPC representatives

should not be burdened with paying the expenses of their RPC support staff participating in the management of the NPSPAC 800 MHz rebanding effort. Radio interoperability is essential to Public Safety first responders, and the regional committee members responsible for NPSPAC efforts should be properly compensated through the program. RPC representatives should be able to project their program costs and submit request to the TA for approval and payment.

### **Conclusion**

In conclusion, OCTO appreciates the FCC's efforts to improve radio communications for Public Safety in the 800 MHz band. We request that the rebanding administrative support services and labor costs be further clarified and that these costs not be unfairly capped. We encourage the FCC, in partnership with the TA, to develop a method to provide advance rebanding payments to government to avoid fiscal constraints that could prevent, or seriously delay, jurisdictions from initiating the transition. Finally, OCTO supports funding for the Regional Planning Committees (RPC) to cover their work in planning, coordinating and executing the relocation of the NPSPAC channels in their affected regions.

Respectfully submitted,

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December 2, 2004